UNITED
NATIONS

ST

Secretariat

ST/IC/1995/42
5 July 1995

INFORMATION CIRCULAR

To: Members of the staff

From: The Under-Secretary-General for Administration and Management

Subject: UNITED STATES IMMIGRATION AND NATIONALITY TECHNICAL CORRECTIONS ACT OF 1994

1. The purpose of the present circular is to inform interested individuals about an important change in the United States laws relating to nationality and naturalization.

2. The Immigration Reform and Control Act of 1986 (hereinafter "IRCA of 1986"), inter alia, established a "special immigrant" category for former G-4 officials or employees, their spouses or surviving spouses and eligible dependants (see information circular ST/IC/87/16 and Corr.1).

3. The 1988 Immigration Technical Corrections Act introduced certain clarifications to the IRCA of 1986 (see information circular ST/IC/89/7).

4. The Immigration and Nationality Technical Corrections Act of 1994 (Public Law 103-416), which entered into force on 25 October 1994, deleted the deadline of 31 December 1992 for the filing of petitions for "special immigrant" status provided for in the IRCA of 1986.

5. As a consequence of the deletion described above, the table set out in the Annex to the present circular supersedes the table annexed to information circular ST/IC/89/7 dated 17 January 1989. Other than as herein indicated, the information set out in information circulars ST/IC/87/16 and Corr.1 and ST/IC/89/7, which, inter alia, provides general information on the IRCA of 1986 and the procedures whereby the Organization certifies G-4 status, remains valid.

95-19979 (E) 070795 110795

/...

Annex

SUMMARY OF PROVISIONS OF THE IMMIGRATION REFORM AND CONTROL ACT OF 1986 AND THE IMMIGRATION TECHNICAL CORRECTIONS ACT OF 1988, AS AMENDED BY THE IMMIGRATION AND NATIONALITY TECHNICAL CORRECTIONS ACT OF 1994, RELEVANT TO PERSONS ON OR FORMERLY ON G-4 VISAS AND CERTAIN OF THEIR RELATIVES

Category	Required residence and physical presence in the United States	Application deadlines: Later of	United States Code Section
A. Eligible for new "special immigrant" status:			
(1) Unmarried son or daughter of official on G-4 visa	On a G-4 or N visa: (a) 1/2 of the 7 yrs. before date of application; and (b) 7 yrs. a/ b/ between ages 5 and 21	(a) 24 April 1989; or (b) 25th birthday	1101(a)(27)(I)(i) d/
(2) Surviving spouse of deceased official formerly on G-4 visa	On a G-4 or N visa: (a) 1/2 of the 7 yrs. before date of application; and (b) 15 years a/ before death of official	(a) 24 April 1989; or (b) 6 months after death of official	1101(a)(27)(I)(ii) d/
(3) Retired official formerly on G-4 visa	On a G-4 visa: (a) 1/2 of the 7 yrs. before date of application; and (b) 15 years a/ before date of retirement	(a) 24 April 1989; or (b) 6 months after retirement	1101(a)(27)(I)(iii) d/
(4) Spouse of a retired official granted special immigrant status under A(3), who accompanies or follows official as member of immediate family	None	None	1101(a)(27)(I)(iv)
B. Eligible for new "N" category non-immigrant visa:			
(1) Parent of child granted special immigrant status under A(1), until child becomes 21	None	None	1101(a)(15)(N)(i)
(2) Child, until age 21, of parent who is granted: (a) "N" visa under B(1); or	None	None	1101(a)(15)(N)(ii)
(b) Special immigrant status under A(2), (3) or (4)	None	None	
C. Other new eligibilities for immigrant status:			
(1) "Illegal" alien (e.g., perhaps one who stayed in the United States in spite of expiration of G-4 visa but is not eligible under A(1)-(4))	(a) Continuous illegal residence c/ in the United States since at least 31 December 1981 until date of application for "special temporary legal" status; and (b) Continuous physical presence in the United States from 6 Nov. 1986 until date of application	(a) For "special temporary legal" status for a one-year period beginning 5 May 1987 (b) For immigrant status After at least 18 months in status (a)	1255A
(2) Alien of "good moral character"	Continuous residence c/ in the United States on any basis (including a G-4 or N visa) since at least 31 December 1971 until date of application for immigrant status	For immigrant status No deadline	1259 (amended)

a/ These amounts are totals, and need not constitute a continuous period. They can include reasonable periods the person was absent from the United States on official business or on customary leave, as long as the duty station and residence were maintained in the United States.

b/ Does not include periods of enrolment in a school outside the United States.

c/ Does not require continuous physical presence in the United States.

d/ As amended by Section 2(a) of the Immigration Technical Corrections Act of 1988.